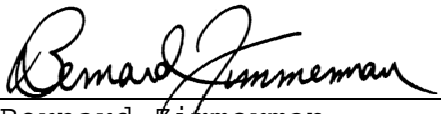


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HOWARD M. HOLZAPFEL,)	
)	
Plaintiff,)	No. 05-3785 BZ
)	
v.)	ORDER DISMISSING COMPLAINT
)	
JOANNE B. BARNHART,)	
Commissioner of Social)	
Security)	
)	
Defendant.)	
_____)	

Having received plaintiff's voluntary dismissal without prejudice [docket # 24] and defendant's notice of non-opposition to plaintiff's voluntary dismissal [docket # 25], **IT IS HEREBY ORDERED** that pursuant to Federal Rule of Civil Procedure 41(a)(2), plaintiff's complaint is **DISMISSED** and all pending motions and matters are **VACATED**.

Dated: September 11, 2006



Bernard Zimmerman
United States Magistrate Judge